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May 30, 2006

Robert H. Schneider  
Central Valley Regional Water Board  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670

**Re: Salinity Objectives and Total Maximum Daily Load Upstream for the Lower San Joaquin River Upstream of Vernalis.**

Dear Chairman Schneider;

While the Central Valley Regional Water Quality Control Board is considering the adoption of water quality objectives for salinity on the San Joaquin River upstream of Vernalis, it should consider the views of those who actually divert water from that part of the river for irrigation. The El Solyo Water District currently diverts water from the San Joaquin River between Mendota Pool and Vernalis pursuant to License Number 1280, irrigates approximately 3,781 acres with this water, and grows a variety of crops, including melons, almonds, walnuts, alfalfa, tomatoes, beans, and silage corn.

While the El Solyo Water District is committed to maintaining and protecting the quality of water in the San Joaquin River, the salinity of the water it diverts is sufficiently low to irrigate the crops in our service area without adverse consequences. Water quality objectives for salinity are not necessary to protect agricultural beneficial uses in the El Solyo Water District. While San Joaquin River salinity does limit some tree crops, salt is normally not a problem for row crops and shallow-rooted crops, because rainfall helps push out the salts that build up in the soil. If the salinity of San Joaquin River water were a serious problem, the farmers in the El Solyo Water District would have stopped growing crops long ago.

Implementing salinity objectives will require discharge controls that will reduce return flows during low-flow periods, and, as a result, reduce flows in the San Joaquin River. Since flows are lowest at the peak of the irrigation season, a total maximum daily load would reduce flow when flow is most necessary for our farmers. Much of the water the El Solyo Water District diverts, especially in the summer irrigation season, consists of return flows from upstream irrigation and water districts, many of which divert water from the Delta Mendota Canal, but discharge their tail-water into the river. This water may have been used multiple times before reaching the El Solyo Water District's diversion. If a total maximum daily load requiring retention of drainage is implemented, then only groundwater accretions, with salt concentrations higher than that of the water the El Solyo Water District currently diverts, would remain. The El Solyo Water District prefers the present flow and water

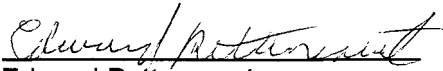
quality, both of which are adequate, to improved water quality and less flow or none at all. Improved water quality would not help us. Lower flows would cripple our farming operations.

Total maximum daily loads will not solve the salt problem. Half a million to a million tons of salt still come into the San Joaquin River Basin through the Delta Mendota Canal, the United States Bureau of Reclamation has not built a drain, and the State does not have the resolve to do the right thing. Instead, the State, though adoption of this total maximum daily load, will destroy agriculture with crippling regulatory controls and costs and by allowing salts to continue accumulating in the soil, all while ignoring the real problem.

Thank you for your attention on this mater. We look forward to discussing this matter with you further.

Best Regards,

EL SOLYO WATER DISTRICT

By:   
Edward Bettencourt  
President of the Board of Directors